

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,

PETITIONER,

V.

RUGER, MODEL LC9, 9MM CALIBER PISTOL,
SERIAL NO. 326-18771;

SMITH & WESSON, MODEL SW40E, 40
CALIBER PISTOL, SERIAL NO. PBD7348;

GIRSAN, MODEL MC 1911 S, 45 CALIBER
PISTOL, SERIAL NO. T6368-13AB03570;

CLERKE TECHNICORP, MODEL CLERKE 1ST,
32 CALIBER REVOLVER, SERIAL NO. 911446;

MOSSBERG, MODEL 500, 12 GAUGE
SHOTGUN, SERIAL NO. U601070;

146 ROUNDS, MORE OR LESS, OF ASSORTED 9
CALIBER AMMUNITION;

75 ROUNDS, MORE OR LESS, OF ASSORTED 12
CALIBER AMMUNITION;

100 ROUNDS, MORE OR LESS, OF ASSORTED
40 CALIBER AMMUNITION; AND

100 ROUNDS, MORE OR LESS, OF ASSORTED
45 CALIBER AMMUNITION;

RESPONDENTS.

JUDGE KATHLEEN CARDONE

CIVIL ACTION NO.

EP 15 CV 0240

NOTICE OF COMPLAINT FOR FORFEITURE

1. On August 18, 2015, the United States of America, by and through its United States Attorney for the Western District of Texas and the undersigned Assistant United States

Attorney, filed a Verified Complaint for Forfeiture against the properties described below, which are also specifically described in the Verified Complaint for Forfeiture, and which are subject to forfeiture to the United States pursuant to 18 U.S.C. § 924(d)(1) for violations of 18 U.S.C. § 922(g)(3), namely:

- a. RUGER, MODEL LC9, 9MM CALIBER PISTOL, SERIAL NO. 326-18771;
- b. SMITH & WESSON, MODEL SW40E, 40 CALIBER PISTOL, SERIAL NO. PBD7348;
- c. GIRSAN, MODEL MC 1911 S, 45 CALIBER PISTOL, SERIAL NO. T6368-13AB03570;
- d. CLERKE TECHNICORP, MODEL CLERKE 1ST, 32 CALIBER REVOLVER, SERIAL NO. 911446;
- e. MOSSBERG, MODEL 500, 12 GAUGE SHOTGUN, SERIAL NO. U601070;
- f. 146 ROUNDS, MORE OR LESS, OF ASSORTED 9 CALIBER AMMUNITION, SEIZED ON OR ABOUT MARCH 6, 2015, IN EL PASO, TEXAS;
- g. 75 ROUNDS, MORE OR LESS, OF ASSORTED 12 CALIBER AMMUNITION, SEIZED ON OR ABOUT MARCH 6, 2015, IN EL PASO, TEXAS;
- h. 100 ROUNDS, MORE OR LESS, OF ASSORTED 40 CALIBER AMMUNITION, SEIZED ON OR ABOUT MARCH 6, 2015, IN EL PASO, TEXAS;
- i. 100 ROUNDS, MORE OR LESS, OF ASSORTED 45 CALIBER AMMUNITION, SEIZED ON OR ABOUT MARCH 6, 2015, IN EL PASO, TEXAS

(collectively referred to as the “Respondent Properties”).

2. Pursuant to Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice to any person who reasonably appears to be a potential claimant shall be by direct notice. Accompanying this notice is the Verified Complaint for Forfeiture which has been filed in this cause and which describes the Respondent Properties.

Pursuant to Supplemental Rule G(4)(b), any person claiming an interest in the Respondent Properties who has received direct notice of this forfeiture action must file a Claim in compliance with Rule G(5)(a), with the court within **thirty-five (35) days after the notice was sent, if delivered by mail (if mailed, the date sent is provided below), or within 35 days of the date of delivery, if notice was personally served.** An Answer or motion under Rule 12 of the Federal Rules of Civil Procedure must then be filed within **twenty-one (21) days** of the Claim being filed. The Claim and Answer must be filed with the Clerk of the Court, 525 Magoffin, Suite 105, El Paso, Texas 79901, and copies of each must be served upon Assistant United States Attorney Anna E. Arreola, 700 E. San Antonio Ave, Suite 200, El Paso, Texas 79901, or default and forfeiture will be ordered. *See* 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claim and Asset Forfeiture Actions.

Failure to follow the requirements set forth above will result in a judgment by default taken against you for the relief demanded in the complaint.

APPENDIX A

DATE NOTICE SENT: _____

RICHARD L. DURBIN, JR.
United States Attorney for the
Western District of Texas

By: _____
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